

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of Implementation of Section 621(a)(1)
of the Cable Communications Policy Act of 1984 as) MB Docket No. 05-311
amended by the Cable Television Consumer Protection
and Competition Act of 1992)

**Comments of WayCAM, Wayland Community Access Media, The Local Access
Channel for the Town of Wayland, Massachusetts**

These Comments are filed by WayCAM of Wayland, Massachusetts, in support of the comments filed by the National League of Cities and the National Association of Telecommunications Officers and Advisors ("NATOA") and others supporting local jurisdiction over communication franchises. Like NLC and NATOA, we believe that local governments can issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to inform the Commission about the facts of video franchising in our community.

Cable Franchising in Our Community

In 1985, the Wayland Cable Advisory Committee, a committee appointed by the Wayland Board of Selectmen, negotiated a 15-year license agreement with Continental Cablevision. The company became AT&T Broadband, with which a subsequent committee negotiated a 10-year renewal license, signed by the committee and the members of the Board of Selectmen on September 11, 2000. That license will be renegotiated in time for renewal on September 11, 2010.

Community Information

Wayland, Massachusetts, is a town with a population of about 13,000. Our franchised cable provider is Comcast. Our community has negotiated cable franchises since 1985.

Competitive Cable Systems

Our community was approached by RCN in about 1999, but the provider chose not to enter into any formal discussions.

Conclusions

The local cable franchising process functions well in our community of Wayland, Massachusetts. As the above information indicates, we are experienced at working with cable providers to both see that the needs of the local community are met and to ensure that the practical business needs of cable providers are taken into account.

Local cable franchising ensures that local cable operators are allowed access to the rights of way in a fair and evenhanded manner, that other users of the rights of way are not unduly inconvenienced, and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner which is in accordance with local requirements. Local cable franchising also ensures that our local community's specific needs are met and that local customers are protected.

Local franchises thus provide a means for local government to appropriately oversee the operations of cable service providers in the public interest, and to ensure compliance with applicable laws. There is no need to create a new Federal bureaucracy in Washington to handle matters of specifically local interest.

Finally, local franchises allow each community, including ours, to have a voice in how local cable systems will be implemented and what features (such as PEG access, institutional networks or local emergency alerts, etc.) will be available to meet local needs. These factors are equally present for new entrants as for existing users.

Wayland Community Access and Media, Inc., of Wayland, Massachusetts, therefore respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants. We feel strongly that the local committees can most effectively deal with the local problems and conditions attendant with franchising of cable companies. The streets to be crossed and the services to be provided are in Wayland, Massachusetts, and not in Washington, DC.

Respectfully submitted,

By: Betsy G. Moyer, President
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